



# BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

## AGENDA

Monday, October 26, 2009

*Commissioner David Lillard, Chairman  
Commissioner Deidre Malone, Chairman Pro Tempore  
Commissioner Joyce Avery  
Commissioner Henri E. Brooks  
Commissioner Wyatt Bunker  
Commissioner Mike Carpenter  
Commissioner Sidney Chism*

*Commissioner George Flinn  
Commissioner Joe Ford  
Commissioner J.W. Gibson II  
Commissioner James Harvey  
Commissioner Steve Mulroy  
Commissioner Mike Ritz*

5/26/2010 5:38 PM

1:30 PM

COMMISSION CONVENES

CALL TO ORDER

Chairman David Lillard

OPENING OF THE COMMISSION

Deputy Sheriff

INVOCATION

Dr. Sharon Webb, Senior Pastor and  
Founder  
Life Changing Word Ministries

PLEDGE OF ALLEGIANCE

ROLL CALL

Opening of the Commission

Invocation

Approval of Minutes of Previous Session  
October 12, 2009

## **CONSENT AGENDA**

### **Resolutions of Memorial, Sympathy and Commendation**

### **Ordinances**

### **Zoning and Subdivisions**

**RITZ  
Chairman,  
Land Use  
Committee**

1. [Resolution to approve the plat for Gena L. Roberts Subdivision \(S08-015 CC\) and authorize the recording of the plat. Sponsored by Commissioner Mike Ritz.](#)

### **Reports and/or Resolutions for Standing Committees**

**RITZ  
Vice-Chairman,  
Budget and  
Finance  
Committee**

2. [Resolution approving an amendment to the existing contract with AT&T Global Services, Inc., in the amount of \\$94,651.79 for telecommunications hardware and software for the purpose of upgrading core operating and management systems on the four primary telephone switches. This requires expenditure of County General Funds in the amount of \\$94,651.79. Sponsored by Commissioner J.W. Gibson II.](#)

**FORD  
Chairman,  
Hospitals and  
Health  
Committee**

3. [Resolution approving an amendment to the FY 2009/2010 Operating Budget of the Rapid HIV Testing grant program in the amount of \\$74,600.00 for the provision of HIV Rapid Testing Services for populations disproportionately affected by HIV and an amendment to the FY 2009/2010 Position](#)

Control Budget and the appropriation of said funds. This item requires the expenditure of Federal through State Grant funds in the amount of \$74,600.00. Sponsored by Commissioner Joe Ford.

CHISM  
Chairman, Law  
Enforcement  
Committee

4. Resolution by the Board of Commissioners of Shelby County, Tennessee, requesting the Supreme Court of Tennessee Administrative Office of the Courts to initiate appropriate action to authorize state courts in the Thirtieth Judicial District of Shelby County to implement a discretionary e-filing pilot project for Circuit, Chancery, Probate and General Sessions Courts. Sponsored by Commissioner Steve Mulroy.
5. Resolution amending the FY 2010 Budget in the amount of \$214,599.00 to allow the acceptance and expenditure of Federal Funds in the amount of \$214,599.00 for overtime reimbursement for the Shelby County Sheriff's Office. Sponsored by Commissioner Sidney Chism. (AMENDED IN COMMITTEE 10/21/09)

RITZ  
Chairman,  
Land Use  
Committee

6. Resolution by the Board of Commissioners of Shelby County requesting the Memphis Urban Area Metropolitan Planning Organization (MPO) to amend its bylaws to add a representative of the Shelby County Commission to the voting membership of the Executive Board of the MPO. Sponsored by Commissioner Mike Ritz.

CARPENTER  
Chairman,  
Community  
Services  
Committee

7. Resolution amending the FY 2010 Operating Budget for three grants in the amount of \$122,959.00 from the State of Tennessee, Office of Criminal Justice Programs for services for victims of crime. This item requires expenditure and appropriation of State Grant Funds in the amount of \$122,959.00. Sponsored by Commissioner Mike Carpenter.

CARPENTER

8. Resolution approving the contract between the

Chairman,  
Community  
Services  
Committee

Exchange Club Family Center of Memphis and Shelby County Government in the amount of \$100,000.00 for the provision of domestic violence assessment services for the period July 1, 2009 through June 30, 2010. Sponsored by Commissioner Mike Carpenter.

CARPENTER  
Chairman,  
Community  
Services  
Committee

9. Resolution amending the FY 2010 Operating Budget for a grant in the amount of \$256,255.00 for a grant from the Tennessee Department of Transportation Governor's Highway Safety Office for the West Tennessee Child Passenger Safety Program. This item requires expenditure and appropriation of State Grant Funds in the amount of \$256,255.00. Sponsored by Commissioner Mike Carpenter.

CARPENTER  
Acting  
Chairman,  
General  
Government  
Committee

10. Resolution receiving and filing oaths for Chairman Joyce Avery and Chairman Pro Tempore Sidney Chism of the Shelby County Board of Commissioners. Sponsored by Commissioner George Flinn.

CARPENTER  
Acting  
Chairman,  
General  
Government  
Committee

11. Resolution receiving and filing oath for Regina Morrison-Newman, interim Shelby County Trustee. Sponsored by Commissioner George Flinn.

CARPENTER  
Acting  
Chairman,  
General  
Government  
Committee

12. Resolution receiving and filing re-appointments for judicial commissioners of the General Sessions Criminal Courts of Shelby County, Tennessee. Sponsored by Commissioner George Flinn.

CARPENTER  
Acting  
Chairman,

13. Resolution approving the election of notaries public for appointment ad/or reappointment for Shelby County, Tennessee. Sponsored by

General  
Government  
Committee

Commissioner Joe Ford.

MULROY  
Chairman,  
Legislative  
Committee

14. Resolution approving an agreement with The Ferguson Group, LLC in the amount of \$106,200.00 for the purpose of providing consultant services for federal initiatives for the period July 1, 2009 through June 30, 2010 and appropriating funds for said purpose. This item requires expenditure of County General Funds in the amount of \$106,200.00. Sponsored by Commissioner Steve Mulroy.

Approval of the Consent Agenda

**REGULAR AGENDA**

Elections, Appointments, and Confirmations

CARPENTER  
Acting  
Chairman,  
General  
Government  
Committee

15. Resolution approving the County Mayor's nomination of William A. Hartsfield and William J. Jason for reappointment to the Memphis and Shelby County Mechanical Gas Code Board. Sponsored by Commissioner Joe Ford.

CARPENTER  
Acting  
Chairman,  
General  
Government  
Committee

16. Resolution approving the County Mayor's nomination of Andrew J. Trippel for appointment and Raymend P. Brown for appointment and reappointment to the Memphis and Shelby County Board of Adjustment. Sponsored by Commissioner George Flinn.

CARPENTER  
Acting  
Chairman,  
General  
Government

17. Resolution approving the County Mayor's nomination of Dr. Jose C. Yataco, Douglas P. Duggard, Jr., and Robert D. Cash for joint City-County appointment and Doris Boyd and Dr. Karl Pensak for joint City-County reappointment to the

**Committee**

**Memphis and Shelby County Air Pollution Control Board. Sponsored by Commissioner Flinn.**

- a) Receiving and filing the resignation of Mayor A C Wharton, effective October 26, 2009.
- b) Receiving and filing Oath of Office for Acting Mayor Joyce Avery.

**Ordinances**

**CARPENTER  
Acting  
Chairman,  
General  
Government  
Committee**

- 18. ORDINANCE - FIRST READING - An ordinance to amend the Shelby County Code of Ordinances by adding a new section to Chapter 2, Article II to establish procedures for boards, commissions, authorities, and other public bodies relative to compliance with the public notice provisions of the Tennessee Open Meetings Act. Sponsored by Commissioner George Flinn. (SENT FROM COMMITTEE WITHOUT RECOMMENDATION)

**BROOKS  
Chairman,  
Core City  
Committee**

- 19. ORDINANCE - THIRD READING - an ordinance to amend the Code of Ordinances of Shelby County, Tennessee, to include regulations for the proper disposal of tires and the registration of certain tire businesses within Shelby County. Sponsored by Commissioner Steve Mulroy.

**Zoning and Subdivisions**

**Reports and/or Resolutions for Standing Committees**

**RITZ  
Vice-Chairman,  
Budget and  
Finance  
Committee**

- 20. Resolution amending the FY2010 Operating Budget of the General Sessions Court Clerk in the amount of \$79,807 to provide three temporary employees. This resolution is sponsored by Commissioner Sidney Chism. (DEFERRED TO 11/9/09)

RITZ  
Vice-Chairman,  
Budget and  
Finance  
Committee

21. [Resolution authorizing a loan under a loan agreement between Shelby County, Tennessee, and the Tennessee State School Bond Authority in the aggregate principal amount not to exceed \\$56,720,000 and the execution and delivery of the loan agreement and other documents relating to said borrowing; and providing for the application of the proceeds of said borrowing and payment of the Count's obligations under the loan agreement and amending the FY2010 Capital Improvement Program budget. Sponsored by Commissioner J. W. Gibson. \(AMENDED IN COMMITTEE 10/21/09\)](#)

RITZ  
Vice-Chairman,  
Budget and  
Finance  
Committee

22. [Resolution authorizing agreements with the Shelby County Schools and the Memphis City Schools based on the Tennessee State School Bond Authority's issuance of Qualified School Construction Bonds and its loan in an amount not to exceed \\$56,720,000 to Shelby County to be passed through to the Shelby County Schools and Memphis City Schools for specified construction projects and providing that loan repayments will be allocated from County's future capital appropriations to the Shelby County Schools and Memphis City Schools. Sponsored by Commissioner J. W. Gibson. \(ADD-ON IN COMMITTEE 10/21/09\)](#)

BUNKER  
Chairman,  
Education  
Committee

23. [Resolution amending the 2010 Capital Improvement Budget and appropriating funds in the amount of \\$4,061,079.00 for capital funding for Memphis City and Shelby County Schools. Sponsored by Commissioner Mike Ritz. \(DEFERRED TO 11/9/09\)](#)

CARPENTER  
Acting  
Chairman,  
General  
Government  
Committee

24. [Resolution to amend Shelby County Retirement System Plan B to add an automatic Cost of Living Adjustment for certain retirees and survivors for calendar years 2010, 2011, and 2012. Sponsored by Commissioner J.W. Gibson, II. \(DEFERRED to 12/21//09\)](#)

### **Announcements/Statements**

25. Notification from County Mayor of appointments/reappointments to various Boards, Commissions, and offices of Shelby County Government. a) Resolution approving the County Mayor's nomination of Tierney D. Matthews for joint City-County appointment to the New Memphis Arena Public Building Authority of Memphis and Shelby County, Tennessee. Sponsored by Commissioner George Flinn b) Resolution approving the County Mayor's nomination of Mary Beard, The Honorable Arthur Bennett, Naomi Dyson, Molly Glover, The Honorable Tenny Lafferty, The Honorable Charles McPherson, Don Strother, and Karen Williams for reappointment to the Shelby County Ethics Commission. Sponsored by Commissioner George Flinn c) Resolution approving the County Mayor's nomination of Earnest Gunn for appointment to the Shelby County Retirement Board. Sponsored by Commissioner George Flinn

### **Adjournment**

26. [Resolution of adjournment to Monday, November 9, 2009 at 1:30 p.m.](#)